

CLEARY GOTTlieb STEEN & HAMILTON LLP

One Liberty Plaza
New York, NY 10006-1470

T: +1 212 225 2000

F: +1 212 225 3999

clearygottlieb.com

WASHINGTON, D.C. • PARIS • BRUSSELS • LONDON • MOSCOW
FRANKFURT • COLOGNE • ROME • MILAN • HONG KONG
BEIJING • BUENOS AIRES • SÃO PAULO • ABU DHABI • SEOUL

D: +1 212 225 2460
tmoloney@cgsh.com

VICTOR I. LEWKOW	ETHAN A. KLINGSBERG	ARI D. MACKINNON
LESLIE N. SILVERMAN	MICHAEL D. DAYAN	JAMES E. LANGSTON
LEE C. BUCHHEIT	CARMINE D. BOCCUZZI, JR.	JARED GERBER
JAMES M. PEASLEE	JEFFREY D. KAPFF	COLIN D. LLOYD
THOMAS J. MOLONEY	KIMBERLY BROWN BLACKLOW	COREY M. GOODMAN
DAVID G. SABEL	ROBERT J. RAYMOND	RISHI ZUTSHI
JONATHAN I. BLACKMAN	SUNG K. KANG	JANE VANLARE
MICHAEL L. RYAN	LEONARD C. JACOBY	DAVID H. HERRINGTON
ROBERT P. DAVIS	SANDRA L. FLOW	KIMBERLY R. SPOERRI
YARON Z. REICH	FRANCISCO L. CESTERO	AARON J. MEYERS
RICHARD S. LINCER	FRANCESCA L. ODELL	DANIEL C. REYNOLDS
STEVEN G. HOROWITZ	WILLIAM L. MCRAE	RESIDENT PARTNERS
JAMES A. DUNCAN	JASON FACTOR	
STEVEN M. LOEB	MARGARET S. PEONIS	SANDRA M. ROCKS
CRAIG B. BROD	LISA M. SCHWEITZER	S. DOUGLAS BORISKY
EDWARD J. ROSEN	JUAN G. GIRALDEZ	JUDITH KASSEL
LAWRENCE B. FRIEDMAN	DUANE MC LAUGHLIN	DAVID E. WEBB
NICOLAS GRABAR	BREON S. PEACE	PENELOPE L. CHRISTOPHORO
CHRISTOPHER E. AUSTIN	MEREDITH E. KOTLER	BOAZ S. MORAG
SETH GROSSHANDLER	CHANTAL E. KORDULA	MARY E. ALCOCK
HOWARD S. ZELBO	BENET J. O'REILLY	HEIDE H. ILGENFRITZ
DAVID E. BRODSKY	ADAM E. FLEISHER	HUGH C. CONROY, JR.
ARTHUR H. KOHN	SEAN A. O'NEAL	KATHLEEN M. EMBERGER
RICHARD J. COOPER	GLENN P. MCGRORY	WALLACE L. LARSON, JR.
JEFFREY S. LEWIS	MATTHEW P. SALERNO	AVRAM E. LUFT
PAUL J. SHIM	MICHAEL J. ALBANO	ANDREW WEAVER
STEVEN L. WILNER	VICTOR L. HOU	HELENA K. GRANNIS
ERIKA W. NIJENHUIS	ROGER A. COOPER	GRANT M. BINDER
ANDRES DE LA CRUZ	AMY R. SHAPIRO	JOHN V. HARRISON
DAVID C. LOPEZ	JENNIFER KENNEDY PARK	CAROLINE F. HAYDAY
JAMES L. BROMLEY	ELIZABETH LENAS	RAHUL MUKHI
MICHAEL A. GERSTENZANG	LUKE A. BAREFOOT	NEIL R. MARKL
LEWIS J. LIMAN	PAMELA L. MARCOGLIESE	HUMAYUN KHALID
LEV L. DASSIN	PAUL M. TIGER	CHRIS C. LEE
NEIL Q. WHORISKEY	JONATHAN S. KOLODNER	KENNETH S. BLAZEJEWSKI
JORGE U. JUANTORENA	DANIEL ILAN	KNOX L. MCILWAIN
MICHAEL D. WEINBERGER	MEYER H. FEDIDA	RESIDENT COUNSEL
DAVID LEINWAND	ADRIAN R. LEIPSIK	
DIANA L. WOLLMAN	ELIZABETH VICENS	LOUISE M. PARENT
JEFFREY A. ROSENTHAL	ADAM J. BRENNEMAN	OF COUNSEL

VIA ECF

Honorable Lorna G. Schofield
United States District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

RE: *Contant, et al. v. Bank of America Corporation, et al.*, 1:17-cv-03139

Dear Judge Schofield:

On April 28, 2017, the undersigned counsel for the parties in the above-captioned action submitted a letter (ECF 5) proposing a briefing schedule for motions to dismiss and indicating that they would submit a proposed joint stipulation reflecting that schedule upon the Court's acceptance of the *Contant* action as related. On May 2, 2017, the Court entered an Order directing the parties to submit the proposed joint stipulation referenced in the April 28 letter by May 4, 2017 (ECF 8).

On May 2, 2017, Defendants notified Plaintiffs that the previously agreed-upon briefing schedule would conflict with several of the Defendants' annual vacation plans. Plaintiffs have agreed to shorten the schedule to address Defendants' conflict. Accordingly, the parties respectfully propose that the Court enter the following amended briefing schedule for the anticipated Motions to Dismiss:

- Defendants shall file a joint 12(b)(6) Motion to Dismiss and/or Stay and a separate joint 12(b)(2) Motion to Dismiss, both due 45 days after the entry of this Order;
- Plaintiffs shall file memoranda in opposition to Defendants' Motions to Dismiss, both due 35 days after the filing of Defendants' motions;

- In lieu of filing memoranda in opposition to Defendants' motions, Plaintiffs may file an amended complaint within 35 days of the filing of Defendants' motions;
- If Plaintiffs file memoranda in opposition to Defendants' motions, Defendants may file joint reply memoranda, due 23 days after the filing of Plaintiffs' opposition memoranda.

Should Plaintiffs later determine that additional time is necessary for their opposition memoranda or amended complaint, the parties will promptly enter a stipulation that requests an extension of the deadline for Plaintiffs' opposition memoranda or amended complaint, and a modification of the deadline for Defendants' reply memoranda to accommodate Defendants' vacation schedules.

A proposed joint stipulation reflecting the above amended schedule is attached for the Court's consideration.

Dated: May 4, 2017

Respectfully submitted,

For Defendants:

CLEARY GOTTLIEB STEEN &
HAMILTON LLP

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

By: /s/ Thomas J. Moloney
Thomas J. Moloney
George S. Cary
Sue S. Guan
One Liberty Plaza
New York, New York 10006
Telephone: (212) 225-2000
Facsimile: (212) 225-3999
tmoloney@cgsh.com
gcary@cgsh.com
sguan@cgsh.com

By: /s/ Peter E. Greene
Peter E. Greene
Boris Bershteyn
Four Times Square
New York, New York 10036
Telephone: (212) 735-3000
Facsimile: (212) 735-2000
peter.greene@skadden.com
boris.bershteyn@skadden.com

*Attorneys for Defendants JPMorgan Chase &
Co. and JPMorgan Chase Bank, N.A.*

*Attorneys for Defendants The Goldman
Sachs Group, Inc. and Goldman, Sachs &
Co.*

SHEARMAN & STERLING LLP

By: /s/ Adam S. Hakki
Adam S. Hakki
Richard F. Schwed
Jeffrey J. Resetarits
599 Lexington Avenue
New York, New York 10022
Telephone: (212) 848-4000
ahakki@shearman.com
rschwed@shearman.com
jeffrey.resetarits@shearman.com

Attorneys for Defendants Bank of America Corporation, Bank of America, N.A. and Merrill Lynch, Pierce, Fenner & Smith Incorporated

ALLEN & OVERY LLP

By: /s/ David C. Esseks
David C. Esseks
Laura R. Hall
Rebecca Delfiner
1221 Avenue of the Americas
New York, NY 10020
Telephone: (212) 610-6300
david.esseks@allenoverly.com
laura.hall@allenoverly.com
rebecca.delfiner@allenoverly.com

John Terzaken
1101 New York Avenue
Washington, D.C. 20005
Telephone: (202) 683-3800
john.terzaken@allenoverly.com

Attorneys for Defendants BNP Paribas, BNP Paribas North America, Inc., BNP Paribas Securities Corp., and BNP Paribas Prime Brokerage, Inc.

LOCKE LORD LLP

By: /s/ Gregory T. Casamento
Gregory T. Casamento
3 World Financial Center
New York, NY 10281
Telephone: (212) 812-8325
Facsimile: (212) 812-8385
gcasamento@lockelord.com

Roger B. Cowie
2200 Ross Avenue, Suite 2800
Dallas, TX 75201
Telephone: (214) 740-8000
rcowie@lockelord.com

J. Matthew Goodin
Julia C. Webb
111 South Wacker Drive
Chicago, IL 60606
Telephone: (312) 443-0700
jmgoodin@lockelord.com
jwebb@lockelord.com

Attorneys for Defendants HSBC Holdings, PLC, HSBC Bank PLC, HSBC North America Holdings, Inc., HSBC Bank USA, N.A., and HSBC Securities (USA) Inc.

DAVIS POLK & WARDWELL LLP

By: /s/ Joel M. Cohen
Joel M. Cohen
Melissa C. King
450 Lexington Avenue
New York, New York 10017
Telephone: (212) 450-4000
Facsimile: (212) 450-4800
joel.cohen@davispolk.com
melissa.king@davispolk.com

Attorneys for Defendants The Royal Bank of Scotland Group plc and RBS Securities Inc.

SULLIVAN & CROMWELL LLP

By: /s/ Matthew A. Schwartz
Matthew A. Schwartz
David H. Braff
Yvonne S. Quinn
125 Broad Street
New York, New York 10004
Telephone: (212) 558-4000
Facsimile: (212) 558-3588
schwartzmatthew@sullcrom.com
braffd@sullcrom.com
quinny@sullcrom.com

*Attorneys for Defendant Barclays Bank PLC
and Barclays Capital Inc.*

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: /s/ Kenneth A. Gallo
Kenneth A. Gallo
Michael E. Gertzman
1285 Avenue of the Americas
New York, New York 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

kgallo@paulweiss.com
mgertzman@paulweiss.com
*Attorneys for Defendant The Bank of Tokyo-
Mitsubishi UFJ, Ltd.*

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Eric J. Stock
Eric J. Stock
Indraneel Sur
200 Park Avenue, 48th Floor
New York, New York 10166
Telephone: (212) 351-4000
Facsimile: (212) 716-0801
estock@gibsondunn.com
isur@gibsondunn.com

D. Jarrett Arp
Melanie L. Katsur
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 955-8500
Facsimile: (202) 467-0539
jarp@gibsondunn.com
mkatsur@gibsondunn.com

*Attorneys for Defendants UBS AG, UBS Group
AG, and UBS Securities, LLC*

CAHILL GORDON & REINDEL LLP

By: /s/ David G. Januszewski
David G. Januszewski
Herbert S. Washer
Elai Katz
Jason M. Hall
80 Pine Street
New York, New York 10005
Telephone: (212) 701-3000
Facsimile: (212) 269-5420
djanuszewski@cahill.com
hwasher@cahill.com
ekatz@cahill.com
jhall@cahill.com

*Attorneys for Defendants Credit Suisse Group
AG, Credit Suisse AG, and Credit Suisse
Securities (USA) LLC*

KIRKLAND & ELLIS LLP

By: /s/ Robert Khuzami

Robert Khuzami
Joseph Serino, Jr., P.C.
Eric F. Leon, P.C.
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
robert.khuzami@kirkland.com
joseph.serino@kirkland.com
eric.leon@kirkland.com

G. Patrick Montgomery (*pro hac vice*)
655 Fifteenth Street, N.W.
Washington, D.C. 20005-5793
Telephone: (202) 879-5000
Facsimile: (202) 879-5200
patrick.montgomery@kirkland.com

*Attorneys for Defendant Deutsche Bank AG
and Deutsche Bank Securities Inc.*

COVINGTON & BURLING LLP

By: /s/ Andrew A. Ruffino

Andrew A. Ruffino
The New York Times Building
620 Eighth Avenue
New York, New York 10018
Telephone: (212) 841-1000
aruffino@cov.com

Alan M. Wiseman
Thomas A. Isaacson
Andrew D. Lazerow
Megan E. Gerking
Jamie A. Heine
One CityCenter
850 Tenth Street N.W.
Washington, D.C. 20001
Telephone: (202) 662-6000
awiseman@cov.com
tisaacson@cov.com

WACHTELL, LIPTON, ROSEN & KATZ

By: /s/ Jonathan Moses

Jonathan Moses
Bradley R. Wilson
51 West 52nd Street
New York, NY 10019
Telephone: (212) 403-1000
Facsimile: (212) 403-2000
JMMoses@wlrk.com
BRWilson@wlrk.com

*Attorneys for Defendants Morgan Stanley,
Morgan Stanley & Co., LLC, and Morgan
Stanley & Co. International PLC*

LINKLATERS LLP

By: /s/ James R. Warnot, Jr.

James R. Warnot, Jr.
Adam S. Lurie
Patrick C. Ashby
1345 Avenue of the Americas
New York, New York 10105
Telephone: (212) 903-9000
Facsimile: (212) 903-9100
james.warnot@linklaters.com
adam.lurie@linklaters.com
patrick.ashby@linklaters.com

Attorneys for Defendant Société Générale

alazerow@cov.com
mgerking@cov.com
jheine@cov.com

*Attorneys for Defendants Citibank, N.A.,
Citigroup Inc., Citicorp and Citigroup Global
Markets Inc.*

SIDLEY AUSTIN LLP

By: /s/ Andrew W. Stern
Andrew W. Stern
Nicholas P. Crowell
787 Seventh Avenue
New York, New York 10019
Telephone: (212) 839-5300
Facsimile: (212) 839-5599
astern@sidley.com
ncrowell@sidley.com

*Attorneys for Defendant Standard Chartered
Bank*

For Plaintiffs:

BERGER & MONTAGUE, P.C.

/s/ Michael Dell'Angelo
Michael Dell'Angelo
Merrill G. Davidoff
Todd S. Collins
Joshua T. Ripley
1622 Locust Street
Philadelphia, PA 19103
Tel: (215) 875-3000
Fax: (215) 875-4604
mdellangelo@bm.net
mdavidoff@bm.net
tcollins@bm.net
jripley@bm.net

MOORE AND VAN ALLEN PLLC

By: /s/ James P. McLoughlin, Jr.
James P. McLoughlin, Jr.
Mark A. Nebrig
Joshua D. Lanning
Moore and Van Allen PLLC
100 N. Tryon Street, Suite 4700
Charlotte, North Carolina 28202
Telephone: (704) 331-1000
Facsimile: (704) 331-1159
jimmcloughlin@mvalaw.com
marknebrig@mvalaw.com
joshlanning@mvalaw.com

*Attorneys for Defendant
RBC Capital Markets, LLC*

SCHNEIDER WALLACE COTTRELL
KONECKY WOTKYNs LLP

Garrett W. Wotkyns
8501 North Scottsdale Road, Suite 270
Scottsdale, AZ 85253
Tel: (480) 428-0142
Fax: (866) 505-8036
gwotkyns@schneiderwallace.com

MCCULLEY MCCLUER PLLC

R. Bryant McCulley
Stuart McCluer
1022 Carolina Boulevard, Suite 300
Charleston, SC 29451
Tel: (855) 467-0451
Fax: (662) 368-1506
bmcculley@mcculleymccluer.com
smccluer@mcculleymccluer.com

PEIFFER ROSCA WOLF ABDULLAH
CARR & KANE LLP

Joseph C. Peiffer
201 St. Charles Ave. Suite 4610
New Orleans, LA 70170
Tel: (504) 523-2434
Fax: (504) 523-2464
jpeiffer@prwlegal.com